TRANSMITTAL FORM

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(to be used for all corre	espondence after initial filin	ng)	First Named Inventor	Nea	l C. Oliver	
		I	Art Unit	266	1	
			Examiner Name	Not Yet Assigned		
Total Number of Pages in This Submission			Attorney Docket Numbe	r 42P	16530	
	ENCLOSURES ((check	all that apply)			
Fee Transmittal Form	☐ Draw	ving(s)			After Allowance Communication to Group	
Fee Attached	Licer	Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences	
Amendment / Respon	se Petiti	Petition			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final Affidavits/decla	Provi	Petition to Convert a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer			Proprietary Information	
Extension of Time Re	quest Power Char				Status Letter	
Express Abandonmer					Other Enclosure(s) (please identify below):	
Information Disclosure	e Statement Requ	Request for Refund			- return postcard	
PTO/SB/08	☐ CD, I	CD, Number of CD(s)			- copy of PCT Search Report and PCT Written Opinion	
Certified Copy of Prior Document(s)	rity				- copies of 3 cited references	
Response to Missing Incomplete Application	Parts/ Remarks					
Basic Filing						
Declaration	•					
Response to M Parts under 37 1.52 or 1.53	issing CFR					
	SIGNATURE OF APPL	LICAN	T, ATTORNEY, OR A	GENT		
Firm G	regory D. Caldwell, Reg	g. No.	. 39,926	-		
An alle dale call in a second	LAKELY SOKOLO	FF, T	AYLOR & ZAFM	IAN I	LLP	
Signature	MA					
Date N	lovember 19, 2004					
	CERTIFICATE OF	MAILI	NG/TRANSMISSION			
CERTIFICATE OF MAILING/TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.						
Typed or printed name	Annie G. Pearson	rson				
Signature			Date	November 19, 2004		

Application No.

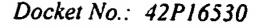
Filing Date

10/607,728

June 27, 2003

FEE TRANSMITTAL for FY 2004 Complete if Known **Application Number** 10/607,728 Filing Date June 27, 2003 Effective 01/01/2004. Patent fees are subject to annual revision. First Named Inventor Neal C. Oliver **Examiner Name** Not Yet Assigned Applicant claims small entity status. See 37 CFR 1.27. Art Unit 2661 42P16530 **TOTAL AMOUNT OF PAYMENT** (\$) Attorney Docket No.

METHOD OF PAYMENT (check all that apply)				FE	E CALCULATION (continued)
☐ Check ☐ Credit card ☐ Money ☐ Other ☒ None	3. A	DDITIO	NAL	FEES	S
Deposit Account	Large	Entity	Smal	II Entity	у
	Fee Code	Fee (\$)	Fee Code	Fee (\$)	
Deposit Account 02-2666					Fee Description Fee Paid
Number	1051 1052	130 50	2051 2052	65 25	Surcharge - late filing fee or oath Surcharge - late provisional filing fee or
Deposit Account Blakely, Sokoloff, Taylor & Zafman LLP				-	cover sheet.
Name	2053 1812	130 2,520	2053 1812	130 2,520	
The Commissioner is authorized to: (check all that apply) Charge fee(s) indicated below Credit any overpayments	1804	920*	1804	920 *	
					Examiner action
CFR §§ 1.16, 1.17, 1.18 and 1.20.	1805	1,840*	1805	1,840 *	* Requesting publication of SIR after Examiner action
Charge fee(s) indicated below, except for the filling fee to the above-identified deposit account	1251	110	2251	55	
FEE CALCULATION	1252	430	2252	215	Extension for reply within second month
1. BASIC FILING FEE	1253	980	2253	490	Extension for reply within third month
Large Entity Small Entity	1254	1,530	2254	765	Extension for reply within fourth month
Fee Fee Fee Fee Description Fee Paid Code (\$)	1255	2.080	2255	1,040	Extension for reply within fifth month
1001 790 2001 395 Utility filing fee	1404	340	2401	170	. "//
1002 350 2002 175 Design filing fee	1402	340	2402	170	
1003 550 2003 275 Plant filing fee	1403	300	2403	150	
1004 790 2004 395 Reissue filing fee	1451	1,510	2451	1,510	
1005 160 2005 80 Provisional filing fee	1452	110	2452	55	
SUBTOTAL (1) (\$)	1453	1,370	2453	685	
A EVEDA O AIM CEEO	1501 1502	1,370 490	2501 2502	685 245	
2. EXTRA CLAIM FEES Extra Fee from Claims below Fee Paid	1502	660	2503	330	
Total Claims = X = X	1460	130	2460	130	
Independent State	1807	50	1807		
Multiple Dependent =	1806	180	1806	180	\
Large Entity Small Entity	8021	40	8021	40	3 p
Fee Fee Fee Fee Description					property (times number of properties)
Code (\$) Code (\$)	1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))
1202 18 2202 9 Claims in excess of 20 1201 88 2201 44 Independent claims in excess of 3	1810	790	2810	395	
1203 300 2203 150 Multiple Dependent claim, if not paid					examined (37 CFR § 1.129(b))
1204 88 2204 44 **Reissue independent claims over original	1801	790	2801	395	Request for Continued Examination (RCE)
patent	1802	900	1802	900	Request for expedited examination of a design application
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent	Other fe	e (specify)			
SUBTOTAL (2) (\$)					
**or number previously paid, if greater, For Reissues, see below	*Reduced	by Basic Film	g Fee Paid	d	SUBTOTAL (3)
SUBMITTED BY	T R	egistratio	n No	7	Complete (if applicable)
Name (Print/Type) Gregory D. Caldwell		tomey/Age		3	39,926 Telephone (503) 439-8778
Signature					Date 11/19/04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

NEAL C. OLIVER, ET AL.

Application No.: 10/607,728

Filed: June 27, 2003

For: Method and System for Open-Loop Congestion

Control in a System Fabric

Art Group: 2661

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

The references were cited in a Search Report dated October 28, 2004 (copy enclosed herewith) in a counterpart PCT application, which was forwarded to Applicant's Representative in a communication dated October 28, 2004.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOPFY FAYLOR & ZAFMAN LLP

Date: November 19, 2004

Gregory D. Caldwell, Reg. No. 39,926

12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 Telephone: (503) 439-8778

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Annie G. Pearson

Date

11-19-04

Hay 2 July 1

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

	Complete if Known
Application Number	10/607,728
Filing Date	June 27, 2003
First Named Inventor	Neal C. Oliver
Art Unit	2661
Examiner Name	Not Yet Assigned
Attorney Docket Number	42P16530

	T		U.S. PATENT	DOCUMENTS	
Examiner	Cite	Document Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where
Initials*	No.1	Number - Kind Code ² (if known)	or Issue Date MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
		US-			
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		US-			

FOREIGN PATENT DOCUMENTS						
	Cite	Foreign Patent Document			Pages, Columns, Lines,	т6
	No.1	Country Code³ - Number⁴ - Kind Code⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Where Relevant Passages or Relevant Figures Appear	
	1	EP 1 303 087 A2	04-16-2003	Alcatel		
	2	EP 1 313 274 A2	05-21-2003	Matshushita Electric Industrial Co., Ltd.		
. <u>-</u> ,						

Examiner	Date	
Signature	Considered	

'Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ²Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 08/11/2003.

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

Substitute for form 1449A/PTO **INFORMATION DISCLOSURE**

Complete if Known **Application Number** 10/607,728 Filing Date June 27, 2003 First Named Inventor Neal C. Oliver Art Unit 2661 **Examiner Name** Not Yet Assigned Attorney Docket Number 42P16530

Sheet 2 of 2

STATEMENT BY APPLICANT

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²	
	3	SYED IJLAL ALI SHAH: "Bringing Comprehensive Quality of Service Capabilities to Next Generation Networks", White Paper, October 2001, XP002241581, 20 pages.		
				
			-	
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Examine		Date		
Signature		Considered		

^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

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^{&#}x27;Applicant's unique citation designation number. 'Applicant is to place a check mark here if English language Translation is attached.